

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Dawn Malakuskie and Richard Malakuskie

(b) County of Residence of First Listed Plaintiff Union County, NJ  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Jessica R. Bland, Esq., Levinson Axelrod, P.A., P.O.  
Box 2905, Edison, NJ 08818 - 732-494-2727

**DEFENDANTS**

Bo R. Lee and Perfect Trading, Inc.

County of Residence of First Listed Defendant New York, New York  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

E. Michael Garrett, Jr., Esq., Barrett Lazar, LLC, 145 W.  
Passaic St., Maywood, NJ 07607 - 201-843-5900

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question  
(U.S. Government Not a Party)
- ☒ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                                   | DEF                                   |   | PTF                        | DEF                                   |
|---|---------------------------------------|---------------------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1            | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4            |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3            | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6            |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input checked="" type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>INTELLECTUAL PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
28 U.S.C. 1332; 28 U.S.C. 1441 (a) and (b)

Brief description of cause:  
Personal Injury/Motor Vehicle

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

09/17/2021

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

E. Michael Garrett, Jr. (8913)  
BARRETT LAZAR, LLC  
145 West Passaic Street  
Maywood, New Jersey 07607  
Tel.: 201-843-5900  
Attorneys for Defendants,  
BO R. LEE and PERFECT TRADING, INC.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

-----X  
DAWN MALAKUSKIE and RICHARD  
MALAKUSKIE, her husband

Civil Action No.

Plaintiffs,

vs.

**NOTICE OF FILING OF  
NOTICE OF REMOVAL**

BO R. LEE, PERFECT TRADING, INC.,  
JOHN DOES 1-10 & ABC CORPORATIONS  
1-10, et al.

Defendants.

-----X  
TO: Jessica R. Bland, Esq.  
Levinson Axelrod, P.A.  
2 Lincoln Highway  
P.O. Box 2905  
Edison, New Jersey 08818  
**Attorney for Plaintiff**

S I R S:

PLEASE TAKE NOTICE, that defendants, Bo R. Lee and Perfect Trading, Inc., in the above-entitled action, have on this 17<sup>th</sup> day of September, 2021, removed this action to the Newark Vicinage of the United States District Court for the District of New Jersey, by filing a Notice of Removal, a copy of which is annexed hereto, in the Office of the Clerk of the United States District Court for the District of New Jersey, 50 Walnut Street, Newark, New Jersey 07102, and in the Office of the Clerk of the Superior Court of New Jersey, County of Middlesex, at 56 Paterson Street, New Brunswick, New Jersey.

BARRETT LAZAR, LLC  
Attorneys for Defendants,  
BO R. LEE and PERFECT TRADING, INC

Dated: September 17, 2021

By:

A handwritten signature in black ink, appearing to read "E. Michael Garrett, Jr.", written over a horizontal line.

E. Michael Garrett, Jr. (8913)

E. Michael Garrett, Jr. (021431996)  
BARRETT LAZAR, LLC  
145 West Passaic Street  
Maywood, New Jersey 07607  
Tel.: 201-843-5900  
Attorneys for Defendants,  
BO R. LEE and PERFECT TRADING, INC.

-----X  
DAWN MALAKUSKIE and RICHARD  
MALAKUSKIE, her husband

Plaintiffs,

vs.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION-MIDDLESEX COUNTY  
DOCKET NO.: MID-L-4841-21

CIVIL ACTION

**NOTICE OF REMOVAL**

BO R. LEE, PERFECT TRADING, INC.,  
JOHN DOES 1-10 & ABC CORPORATIONS  
1-10, et al.

Defendants.

-----X  
Pursuant to 28 U.S.C. Sections 1441 and 1446, defendants, Bo R. Lee And Perfect  
Trading, Inc., hereby remove this action from the Superior Court of the State of New Jersey,  
County of Middlesex, Docket No. MID-4841-21, to the Newark Vicinage - United States District  
Court for the District of New Jersey.

1. This Court has original jurisdiction over this action, pursuant to 28 U.S.C. Section  
1332, on the ground that there is diversity of citizenship between the parties and the amount in  
controversy exceeds the sum of \$75,000.00, exclusive of interest and costs.

2. Upon information and belief, Plaintiffs, Dawn Malakuskie and Richard  
Malakuskie reside at 417 Birchwood Road, in the Municipality of Linden, County of Union,  
State of New Jersey. (See Complaint, attached hereto as **Exhibit A**).

3. Plaintiff commenced this action by filing a Complaint, dated August 14, 2021, in the Superior Court of the State of New Jersey, County of Middlesex, against defendants, Bo R. Lee and Perfect Trading, Inc. (**Exhibit A**).

4. A Summons and Complaint were served on defendant, Bo R. Lee, on or about August 21, 2021 via Process Server. (See copy of the Summons and Complaint and the service of process transmittal, annexed hereto collectively as **Exhibit B**).

5. Defendant Bo R. Lee resides at 120 Elizabeth Street, Apt. 3B, in New York, New York 10013. (See police report, attached hereto as **Exhibit C**).

6. Defendant, Perfect Trading, Inc. is incorporated in the State of New York and has a principle place of business located at 808 Bay Ridge Avenue, Brooklyn, New York 11220-5710. (See Entity Information from the New York Department of State Division of Corporations website, attached hereto as **Exhibit D**).

7. As of this date, defendant, Perfect Trading, Inc. has not been served with the Summons and Complaint.

8. Upon information and belief, the amount in controversy exceeds the sum of \$75,000.00 wherein plaintiffs seek recovery of medical expenses, lost time at work, future expenses, plus consequential damages, exclusive of interest and other costs. Therefore, this action is removable under 28 U.S.C. Section 1441(a), as one over which the U.S. District Court has original jurisdiction pursuant to 28 U.S.C. Section 1332(a).

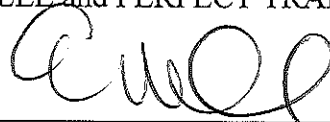
9. This Notice of Removal is filed within thirty (30) days of defendant's receipt of the Complaint, by service or otherwise, and is, therefore, timely filed pursuant to 28 U.S.C. Section 1446(b).

9. Written notice of the filing of this Notice of Removal has been served on plaintiffs' counsel and a copy of this Notice has been forwarded for filing with the Office of the Clerk of the Superior Court of the State of New Jersey, County of Middlesex, at 56 Paterson Street, New Brunswick, New Jersey, to effect the removal of this action to the United States District Court, pursuant to 28 U.S.C. Section 1446(d).

WHEREFORE, Defendants, Bo R. Lee and Perfect Trading, Inc., request that the matter be removed from the Superior Court of the State of New Jersey, County of Middlesex, to this Honorable Court.

BARRETT LAZAR, LLC  
Attorneys for Defendants,  
BO R. LEE and PERFECT TRADING, INC.

By:



E. Michael Garrett, Jr. (8913)

Dated: September 17, 2021

**Exhibit A**



3. At the time and place aforesaid, the defendant, **BO R. LEE**, was negligent and careless in the operation, maintenance, and/or control of their vehicle so as to strike and collide with the vehicle being operated by the plaintiff, **DAWN MALAKUSKIE**.

4. As a direct and proximate result of the negligence of defendant, **BO R. LEE**, in the operation, control, maintenance and/or supervision of said motor vehicle, a collision occurred and the plaintiff was caused to sustain permanent injuries. Plaintiff was caused to suffer pain and will in the future be caused to suffer pain; she was caused to lose time from her employment and will, in the future, be caused to lose time from her employment; she was caused to incur medical expenses and will, in the future be caused to incur medical expenses and a workers compensation lien; she has been and will be in the future be disabled and prevented from attending to her necessary affairs and business.

**WHEREFORE**, the plaintiff, **DAWN MALAKUSKIE**, demands judgment against the defendant, **BO R. LEE** for damages, interest and costs of suit.

#### **SECOND COUNT**

1. Plaintiff, **DAWN MALAKUSKIE**, repeats and realleges the allegations of the First Count of the Complaint as if more fully set forth at length herein.

2. At the time and place aforesaid, the defendant, **PERFECT TRADING, INC.**, was the owner of a commercial tractor trailer truck, which negligently entrusted it commercial vehicle to defendant operator, **BO R. LEE**.

3. As a direct and proximate result of the negligence of defendant, **PERFECT TRADING, INC.**, in the ownership, entrustment, operation, control, maintenance, repairs, and/or supervision of said motor vehicle, a collision occurred and the plaintiff **DAWN MALAKUSKIE** was caused to sustain permanent injuries. Plaintiff was caused to suffer pain and will in the future be caused to suffer pain; she was caused to lose time from her employment and will, in the future, be

caused to lose time from her employment; she was caused to incur medical expenses and a workers compensation lien and will, in the future be caused to incur medical expenses; she has been and will be in the future be disabled and prevented from attending to her necessary affairs and business.

**WHEREFORE**, the plaintiff, **DAWN MALAKUSKIE**, demands judgment against the defendant owner of the subject commercial vehicle, **PERFECT TRADING, INC.**, for damages, interest and costs of suit.

### **THIRD COUNT**

1. Plaintiff, **DAWN MALAKUSKIE**, repeats and realleges each and every allegation contained in the First and Second Counts and makes them a part herein.

2. At all times hereto, the plaintiff, **RICHARD MALAKUSKIE**, is the husband of the plaintiff, **DAWN MALAKUSKIE**.

3. As a result of the injuries sustained by the plaintiff, **DAWN MALAKUSKIE**, plaintiff, **RICHARD MALAKUSKIE**, has, and in the future, will be caused to expend monies for medical treatment of the plaintiff; has and in the future will suffer the loss of services and society of the plaintiff, **DAWN MALAKUSKIE**.

**WHEREFORE**, plaintiff, **RICHARD MALAKUSKIE**, demands judgment against the defendants **BO R. LEE, PERFECT TRADING, INC., JOHN DOES 1-10 & ABC CORPORATIONS 1-10**, jointly, severally or in the alternative, for damages, interest and costs of suit.

### **FOURTH COUNT**

1. Plaintiff, **DAWN MALAKUSKIE**, repeats and realleges the allegations of the First, Second and Third Counts of the Complaint as if more fully set forth at length herein.

2. At the time and place aforesaid **JOHN DOES 1-10** and **ABC CORPORATIONS 1-10**, negligently and/or carelessly operated, owned, maintained, controlled and/or supervised said motor vehicle and as a direct result of said negligence, caused the collision at issue herein.

3. As a direct and proximate result of the negligence of the defendant, **JOHN DOES 1-10** and **ABC CORPORATIONS 1-10**, the plaintiff, **DAWN MALAKUSKIE**, was caused to sustain severe, serious and permanent injuries. Plaintiff was caused to suffer pain and anguish and will in the future be caused to suffer pain and anguish; they were caused to lose time from her employment and will, in the future, be caused to lose time from her employment; she was caused to incur medical expenses and will, in the future be caused to incur medical expenses; she has been and will be in the future be disabled and prevented from attending to her necessary affairs and business.

**WHEREFORE**, the plaintiff, **DAWN MALAKUSKIE**, demands judgment against the defendants, **JOHN DOES 1-10** and **ABC CORPORATIONS 1-10**, individually, jointly and severally and in the alternative for damages, interest and costs of suit.

#### **FIFTH COUNT**

1. Plaintiff, **DAWN MALAKUSKIE**, repeats and realleges the allegations of the First, Second, Third and Fourth Counts of the Complaint as if more fully set forth at length herein.

2. The plaintiff herein alleges that there was a breach of *N.J.S.A. 39:4-1, et seq.* and other regulations and that constitutes a statutory tort.

**WHEREFORE**, the plaintiff, **DAWN MALAKUSKIE** demands judgment against the defendants, **BO R. LEE, PERFECT TRADING, INC., JOHN DOES 1-10 & ABC CORPORATIONS 1-10**, jointly, severally, or in the alternative for damages, interest and costs of suit.

#### **JURY DEMAND**

Plaintiff puts all parties on notice of a demand for trial by jury as to all issues.

**DESIGNATION OF TRIAL COUNSEL**

Plaintiff hereby designates JESSICA R. BLAND, Esq. as trial counsel in the above captioned litigation pursuant to *Rule* 4:25-4.

**CERTIFICATION OF NO OTHER ACTIONS**

The undersigned hereby certifies that this matter is not the subject matter of any other suit, pending or contemplated, in any other court or arbitration proceeding.

**NOTICE TO PRODUCE DOCUMENTS**

Pursuant to *Rule* 4:18-1, the plaintiff hereby demands that each of the defendants produce the following documentation within thirty-five (35) days as prescribed by the Rules of Court. Additionally, please be advised that the following requests are ongoing and continuing in nature and the defendants are therefore required to continuously update its response thereto as new information or documentation comes into existence.

1. Copies or duplicates of any and all photographs, motion pictures, video, films, drawings, diagrams, sketches or other reproductions, descriptions or accounts concerning the individuals involved in the incident in question, the property damage sustained, the accident scene, or anything else relevant to the incident in question. Original digital media should be emailed (unedited, uncompressed in the original file format) to [jbland@njlawyers.com](mailto:jbland@njlawyers.com) and [uabbas@njlawyers.com](mailto:uabbas@njlawyers.com)

2. Copies of any recordings, whether by mechanical or electronic means, of any statements made by any party to this action, any witness, or any other individual, businesses, corporation, investigative authority or other entity concerning anything relevant to the crash in question.

3. Copies of all signed or unsigned statements, documents, communications, and/or transmissions, whether in writing, made orally or otherwise recorded by any mechanical or electronic means, made by any party to this action, any witness, or any other individual, businesses, corporation, investigative authority or other entity concerning anything relevant to the incident in question.

4. Copies of any and all documentation, including but not limited to, safety manuals, statutes, rules, regulations, books, and/or industry standards which refer to, reflect or otherwise relate to the incident in question or any potential defense to the action in question.

5. Copies of any and all discovery received from any other parties to the action in question.

6. Copies of any and all reports on the plaintiff received by the defendants, or any other party to this suit, from either the Central Index Bureau (C.I.B), I.S.O. ClaimSearch or from any other source.

7. Copies of any and all medical information and/or documentation concerning the plaintiff in this matter whether it concerns any medical condition of the plaintiff in this matter; whether it concerns any medical condition or treatment which took place before, during or after the time of the incident in question.

8. Copies of any and all records of any type subpoenaed by the defendants BO R. LEE and PERFECT TRADING, INC. or received from any other source concerning the plaintiff or the incident in question.

9. A list of all passengers in defendant BO R. LEE'S vehicle, including names, relationship to defendant, address on September 24, 2019 and whether or not the individual is represented by counsel in this matter.

10. A list of all cell phone numbers used by defendant BO R. LEE on September 24, 2019 as well as the carriers providing service for said line.

11. A list of all resident relatives of defendant BO R. LEE on September 24, 2019.

12. A list of all vehicles registered to defendant BO R. LEE'S residence on September 24, 2019.

13. A corresponding list of all insurance policies covering the vehicles listed in response to NTP #13.

14. Any and all treaties, articles, medical journals, literature or other documents which defense intends to rely upon at the time of trial in defending the claim of damages.

**NOTICE TO PRODUCE INSURANCE INFORMATION PURSUANT TO RULE 4:10-2(b) TO PRIMARY INSURANCE POLICIES, AND EXCESS/UMBRELLA POLICIES**

1. Pursuant to Rule 4:10-2(b), demand is made that each of the Defendants disclose to the undersigned whether any insurance agreements or policies exist under which any person or firm carrying on an insurance business may be liable to satisfy part or all of a judgment that may be entered in this action, or to indemnify or reimburse for payments made to satisfy the judgment. This demand includes and covers not only primary coverage, but also any umbrella, excess, catastrophe policies, without limitation.

2. Pursuant to Rule 4:10-2(b), demand is further made that a copy of each applicable policy and/or agreement be provided to the undersigned including the policy/agreement number, name and address of insurer or issuer, coverage dates, names and addresses of all persons insured thereunder, personal injury limits, property damage limits, and medical payments limits.

**DEMAND FOR ANSWER TO UNIFORM FORM (C) AND C(1) INTERROGATORIES**

Demand is hereby made upon each of the defendants to answer fully and responsively Form C and Form C(1) Uniform Interrogatories, found in Appendix II as provided by Rule 4:17-1(b)(ii) and other applicable Rules of Court.

**LEVINSON AXELROD, P.A.**  
*Attorneys for the Malakuskie Plaintiffs*

  
JESSICA R. BLAND, Esq.

Dated: August 14, 2021

## Civil Case Information Statement

### Case Details: MIDDLESEX | Civil Part Docket# L-004841-21

Case Caption: MALAKUSKIE DAWN VS LEE BO

Case Initiation Date: 08/14/2021

Attorney Name: JESSICA RACHELLE BLAND

Firm Name: LEVINSON AXELROD

Address: 2 LINCOLN HIGHWAY P.O BOX 2905

EDISON NJ 08818

Phone: 7324942727

Name of Party: PLAINTIFF : Malakuskie, Dawn

Name of Defendant's Primary Insurance Company  
(if known): None

Case Type: AUTO NEGLIGENCE-PERSONAL INJURY (NON-  
VERBAL THRESHOLD)

Document Type: NJ eCourts Case Initiation Confirmation

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same  
transaction or occurrence)? NO

Are sexual abuse claims alleged by: Dawn Malakuskie? NO

Are sexual abuse claims alleged by: Richard Malakuskie? NO

### THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual  
management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the  
court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b)

08/14/2021

Dated

/s/ JESSICA RACHELLE BLAND

Signed



**Exhibit B**

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# Levinson Axelrod<sup>PA</sup>

ATTORNEYS AT LAW

2 Lincoln Highway, P.O. Box 2905, Edison, NJ 08818

T: (732) 494-2727 F: (732) 494-2712

jbland@njlawyers.com

**In Memoriam**

Jacob Levinson  
(1934-1988)

Robert J. Axelrod  
(1961-2000)

Alfred A. Levinson  
(1948-2006)

**Partners**

Richard J. Levinson  
Richard J. Marcolus \*\*

James J. Dunn \*

Mark V. Kuminski \*

Adam L. Rothenberg \*

Brett R. Greiner \*

Kimberly L. Gozsa \*

Michael B. Fusco \*

Todd D. Wachtel \*\*

Robert Y. Cook \*

Matthew P. Pietrowski

Patrick J. Flinn \*

Kathleen M. DiGiovanni \*

**Associates**

Rosemary E. McGeady, M.D.

Roberto Benites

Celine M. Vitale

Christopher A. DeAngelo

Kelley W. Lavery

Jessica R. Bland

Michael N. Colacci

David T. Ferraro

Steven J. Rogers, Jr.

Benjamin J. Katz

**Of Counsel**

Ronald B. Grayzel \*

Patrick R. Caulfield \*\*

Jefferson T. Barnes \*

\* Certified Civil Trial Attorney

\*\* Certified Workers' Comp. Attorney

August 21, 2021

**VIA PROCESS SERVER**

Bo R. Lee

120 Elizabeth Street

Apt. 3B

New York, NY 10013

Re: **Malakuskie v. Lee, et al.**  
**Docket No.: MID-L-4841-21**

Dear Mr. Lee:

Enclosed herein please find a copy of the *Summons and Complaint, Tracking & Assignment Notice and Demand for Discovery of Insurance Coverage* in connection with the above matter.

Service is being made upon you by virtue of *N.J. Rule 4:4-4(c)*.

Under the laws of New Jersey, you have thirty-five (35) days in which to file an Answer to said Complaint or a default judgment may be entered against you. I suggest you turn these papers over to your insurance carrier or personal attorney.

Very truly yours,

  
JESSICA R. BLAND, Esq.

JRB/jv  
Enclosures

JESSICA R. BLAND, Esq. (#02893-2011)

Levinson Axelrod, P.A.

2 Lincoln Highway, P.O. Box 2905

Edison, NJ 08818

T: (732) 494-2727

F: (732) 494-2712

Attorneys for Plaintiff Dawn Malakuskie

**DAWN MALAKUSKIE and RICHARD  
MALAKUSKIE, her husband,**

Plaintiff,

v.

**BO R. LEE, PERFECT TRAINING, INC.,  
JOHN DOE 1-10 & ABC  
CORPORATIONS 1-10, et al.**

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – MIDDLESEX COUNTY  
DOCKET NO. MID-L-4841-21

Civil Action

**CIVIL ACTIONS SUMMONS**

From The State of New Jersey To The Defendant(s) Named Above:

**Bo R. Lee**

The plaintiff, Dawn Malakuskie, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in Middlesex County within 35 days from the date you received this summons, not counting the date you received it. A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at [https://www.judiciary.state.nj.us/forms/10153\\_deptyclerklawref.pdf](https://www.judiciary.state.nj.us/forms/10153_deptyclerklawref.pdf). A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to JESSICA R. BLAND, Esq., Levinson Axelrod, P.A., 2 Lincoln Highway, P.O. Box 2905, Edison, NJ 08818. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at [https://www.judiciary.state.nj.us/forms/10153\\_deptyclerklawref.pdf](https://www.judiciary.state.nj.us/forms/10153_deptyclerklawref.pdf).

*/s/ Michelle M. Smith*

Clerk of the Superior Court

Dated: August 21, 2021

Name of Defendant to be Served: Bo R. Lee

Address of Defendant to be Served: 120 Elizabeth Street. Apt. 3B, New York, NY 10013

**Directory of Superior Court Deputy Clerk's Offices  
County Lawyer Referral and Legal Services Offices**

**ATLANTIC COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division, Direct Filing  
1201 Bacharach Blvd., First Fl.  
Atlantic City, NJ 08401

**LAWYER REFERRAL**

(609) 345-3444

**LEGAL SERVICES**

(609) 348-4200

**BERGEN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division, Room 115  
Justice Center, 10 Main St.  
Hackensack, NJ 07601

**LAWYER REFERRAL**

(201) 488-0044

**LEGAL SERVICES**

(201) 487-2166

**BURLINGTON COUNTY:**

Deputy Clerk of the Superior Court  
Central Processing Office  
Attn: Judicial Intake  
First Fl., Courts Facility  
49 Rancocas Rd.  
Mt. Holly, NJ 08060

**LAWYER REFERRAL**

(609) 261-4862

**LEGAL SERVICES**

(609) 261-1088

**CAMDEN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Processing Office  
Hall of Justice  
1st Fl., Suite 150  
101 South 5<sup>th</sup> Street  
Camden, NJ 08103

**LAWYER REFERRAL**

(856) 482-0618

**LEGAL SERVICES**

(856) 964-2010

**CAPE MAY COUNTY:**

Deputy Clerk of the Superior Court  
9 N. Main Street  
Cape May Court House, NJ 08210

**LAWYER REFERRAL**

(609) 463-0313

**LEGAL SERVICES**

(609) 465-3001

**CUMBERLAND COUNTY:**

Deputy Clerk of the Superior Court  
Civil Case Management Office  
60 West Broad Street  
P.O. Box 10  
Bridgeton, NJ 08302

**LAWYER REFERRAL**

(856) 696-5550

**LEGAL SERVICES**

(856) 691-0494

**ESSEX COUNTY:**

Deputy Clerk of the Superior Court  
Civil Customer Service  
Hall of Records, Room 201  
465 Dr. Martin Luther King Jr. Blvd.  
Newark, NJ 07102

**LAWYER REFERRAL**

(973) 622-6204

**LEGAL SERVICES**

(973) 624-4500

**GLOUCESTER COUNTY:**

Deputy Clerk of the Superior Court  
Civil Case Management Office  
Attn: Intake  
First Fl., Court House  
1 North Broad Street  
Woodbury, NJ 08096

LAWYER REFERRAL  
(856) 848-4589  
LEGAL SERVICES  
(856) 848-5360

**HUDSON COUNTY:**

Deputy Clerk of the Superior Court  
Superior Court, Civil Records Dept.  
Brennan Court House—1st Floor  
583 Newark Ave.  
Jersey City, NJ 07306

LAWYER REFERRAL  
(201) 798-2727  
LEGAL SERVICES  
(201) 792-6363

**HUNTERDON COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
65 Park Avenue  
Flemington, NJ 08822

LAWYER REFERRAL  
(908) 236-6109  
LEGAL SERVICES  
(908) 782-7979

**MERCER COUNTY:**

Deputy Clerk of the Superior Court  
Local Filing Office, Courthouse  
175 S. Broad Street, P.O. Box 8068  
Trenton, NJ 08650

LAWYER REFERRAL  
(609) 585-6200  
LEGAL SERVICES  
(609) 695-6249

**MIDDLESEX COUNTY:**

Deputy Clerk of the Superior Court,  
Middlesex Vicinage  
2nd Floor - Tower  
56 Paterson Street, P.O. Box 2633  
New Brunswick, NJ 08903-2633

LAWYER REFERRAL  
(732) 828-0053  
LEGAL SERVICES  
(732) 249-7600

**MONMOUTH COUNTY:**

Deputy Clerk of the Superior Court  
Court House  
P.O. Box 1269  
Freehold, NJ 07728-1269

LAWYER REFERRAL  
(732) 431-5544  
LEGAL SERVICES  
(732) 866-0020

**MORRIS COUNTY:**

Morris County Courthouse  
Civil Division  
Washington and Court Streets  
P. O. Box 910  
Morristown, NJ 07963-0910

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 285-6911

**OCEAN COUNTY:**

Deputy Clerk of the Superior Court  
118 Washington Street, Room 121  
P.O. Box 2191  
Toms River, NJ 08754-2191

LAWYER REFERRAL  
(732) 240-3666  
LEGAL SERVICES  
(732) 341-2727

**PASSAIC COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
Court House  
77 Hamilton Street  
Paterson, NJ 07505

**LAWYER REFERRAL**  
(973) 278-9223  
**LEGAL SERVICES**  
(973) 523-2900

**SALEM COUNTY:**

Deputy Clerk of the Superior Court  
Attn: Civil Case Management Office  
92 Market Street  
Salem, NJ 08079

**LAWYER REFERRAL**  
(856) 935-5629  
**LEGAL SERVICES**  
(856) 691-0494

**SOMERSET COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division  
P.O. Box 3000  
40 North Bridge Street  
Somerville, N.J. 08876

**LAWYER REFERRAL**  
(908) 685-2323  
**LEGAL SERVICES**  
(908) 231-0840

**SUSSEX COUNTY:**

Deputy Clerk of the Superior Court  
Sussex County Judicial Center  
43-47 High Street  
Newton, NJ 07860

**LAWYER REFERRAL**  
(973) 267-5882  
**LEGAL SERVICES**  
(973) 383-7400

**UNION COUNTY:**

Deputy Clerk of the Superior Court  
1st Fl., Court House  
2 Broad Street  
Elizabeth, NJ 07207-6073

**LAWYER REFERRAL**  
(908) 353-4715  
**LEGAL SERVICES**  
(908) 354-4340

**WARREN COUNTY:**

Deputy Clerk of the Superior Court  
Civil Division Office  
Court House  
413 Second Street  
Belvidere, NJ 07823-1500

**LAWYER REFERRAL**  
(908) 859-4300  
**LEGAL SERVICES**  
(908) 475-2010



3. At the time and place aforesaid, the defendant, **BO R. LEE**, was negligent and careless in the operation, maintenance, and/or control of their vehicle so as to strike and collide with the vehicle being operated by the plaintiff, **DAWN MALAKUSKIE**.

4. As a direct and proximate result of the negligence of defendant, **BO R. LEE**, in the operation, control, maintenance and/or supervision of said motor vehicle, a collision occurred and the plaintiff was caused to sustain permanent injuries. Plaintiff was caused to suffer pain and will in the future be caused to suffer pain; she was caused to lose time from her employment and will, in the future, be caused to lose time from her employment; she was caused to incur medical expenses and will, in the future be caused to incur medical expenses and a workers compensation lien; she has been and will be in the future be disabled and prevented from attending to her necessary affairs and business.

**WHEREFORE**, the plaintiff, **DAWN MALAKUSKIE**, demands judgment against the defendant, **BO R. LEE** for damages, interest and costs of suit.

#### **SECOND COUNT**

1. Plaintiff, **DAWN MALAKUSKIE**, repeats and realleges the allegations of the First Count of the Complaint as if more fully set forth at length herein.

2. At the time and place aforesaid, the defendant, **PERFECT TRADING, INC.**, was the owner of a commercial tractor trailer truck, which negligently entrusted it commercial vehicle to defendant operator, **BO R. LEE**.

3. As a direct and proximate result of the negligence of defendant, **PERFECT TRADING, INC.**, in the ownership, entrustment, operation, control, maintenance, repairs, and/or supervision of said motor vehicle, a collision occurred and the plaintiff **DAWN MALAKUSKIE** was caused to sustain permanent injuries. Plaintiff was caused to suffer pain and will in the future be caused to suffer pain; she was caused to lose time from her employment and will, in the future, be

caused to lose time from her employment; she was caused to incur medical expenses and a workers compensation lien and will, in the future be caused to incur medical expenses; she has been and will be in the future be disabled and prevented from attending to her necessary affairs and business.

WHEREFORE, the plaintiff, DAWN MALAKUSKIE, demands judgment against the defendant owner of the subject commercial vehicle, PERFECT TRADING, INC., for damages, interest and costs of suit.

### **THIRD COUNT**

1. Plaintiff, DAWN MALAKUSKIE, repeats and realleges each and every allegation contained in the First and Second Counts and makes them a part herein.

2. At all times hereto, the plaintiff, RICHARD MALAKUSKIE, is the husband of the plaintiff, DAWN MALAKUSKIE.

3. As a result of the injuries sustained by the plaintiff, DAWN MALAKUSKIE, plaintiff, RICHARD MALAKUSKIE, has, and in the future, will be caused to expend monies for medical treatment of the plaintiff; has and in the future will suffer the loss of services and society of the plaintiff, DAWN MALAKUSKIE.

WHEREFORE, plaintiff, RICHARD MALAKUSKIE, demands judgment against the defendants BO R. LEE, PERFECT TRADING, INC., JOHN DOES 1-10 & ABC CORPORATIONS 1-10, jointly, severally or in the alternative, for damages, interest and costs of suit.

### **FOURTH COUNT**

1. Plaintiff, DAWN MALAKUSKIE, repeats and realleges the allegations of the First, Second and Third Counts of the Complaint as if more fully set forth at length herein.

2. At the time and place aforesaid **JOHN DOES 1-10** and **ABC CORPORATIONS 1-10**, negligently and/or carelessly operated, owned, maintained, controlled and/or supervised said motor vehicle and as a direct result of said negligence, caused the collision at issue herein.

3. As a direct and proximate result of the negligence of the defendant, **JOHN DOES 1-10** and **ABC CORPORATIONS 1-10**, the plaintiff, **DAWN MALAKUSKIE**, was caused to sustain severe, serious and permanent injuries. Plaintiff was caused to suffer pain and anguish and will in the future be caused to suffer pain and anguish; they were caused to lose time from her employment and will, in the future, be caused to lose time from her employment; she was caused to incur medical expenses and will, in the future be caused to incur medical expenses; she has been and will be in the future be disabled and prevented from attending to her necessary affairs and business.

**WHEREFORE**, the plaintiff, **DAWN MALAKUSKIE**, demands judgment against the defendants, **JOHN DOES 1-10** and **ABC CORPORATIONS 1-10**, individually, jointly and severally and in the alternative for damages, interest and costs of suit.

#### **FIFTH COUNT**

1. Plaintiff, **DAWN MALAKUSKIE**, repeats and realleges the allegations of the First, Second, Third and Fourth Counts of the Complaint as if more fully set forth at length herein.

2. The plaintiff herein alleges that there was a breach of *N.J.S.A. 39:4-1, et seq.* and other regulations and that constitutes a statutory tort.

**WHEREFORE**, the plaintiff, **DAWN MALAKUSKIE** demands judgment against the defendants, **BO R. LEE, PERFECT TRADING, INC., JOHN DOES 1-10 & ABC CORPORATIONS 1-10**, jointly, severally, or in the alternative for damages, interest and costs of suit.

#### **JURY DEMAND**

Plaintiff puts all parties on notice of a demand for trial by jury as to all issues.

**DESIGNATION OF TRIAL COUNSEL**

Plaintiff hereby designates JESSICA R. BLAND, Esq. as trial counsel in the above captioned litigation pursuant to *Rule* 4:25-4.

**CERTIFICATION OF NO OTHER ACTIONS**

The undersigned hereby certifies that this matter is not the subject matter of any other suit, pending or contemplated, in any other court or arbitration proceeding.

**NOTICE TO PRODUCE DOCUMENTS**

Pursuant to *Rule* 4:18-1, the plaintiff hereby demands that each of the defendants produce the following documentation within thirty-five (35) days as prescribed by the Rules of Court. Additionally, please be advised that the following requests are ongoing and continuing in nature and the defendants are therefore required to continuously update its response thereto as new information or documentation comes into existence.

1. Copies or duplicates of any and all photographs, motion pictures, video, films, drawings, diagrams, sketches or other reproductions, descriptions or accounts concerning the individuals involved in the incident in question, the property damage sustained, the accident scene, or anything else relevant to the incident in question. Original digital media should be emailed (unedited, uncompressed in the original file format) to [jbland@njlawyers.com](mailto:jbland@njlawyers.com) and [uabbas@njlawyers.com](mailto:uabbas@njlawyers.com)
2. Copies of any recordings, whether by mechanical or electronic means, of any statements made by any party to this action, any witness, or any other individual, businesses, corporation, investigative authority or other entity concerning anything relevant to the crash in question.
3. Copies of all signed or unsigned statements, documents, communications, and/or transmissions, whether in writing, made orally or otherwise recorded by any mechanical or electronic means, made by any party to this action, any witness, or any other individual, businesses, corporation, investigative authority or other entity concerning anything relevant to the incident in question.
4. Copies of any and all documentation, including but not limited to, safety manuals, statutes, rules, regulations, books, and/or industry standards which refer to, reflect or otherwise relate to the incident in question or any potential defense to the action in question.
5. Copies of any and all discovery received from any other parties to the action in question.

6. Copies of any and all reports on the plaintiff received by the defendants, or any other party to this suit, from either the Central Index Bureau (C.I.B), I.S.O. ClaimSearch or from any other source.

7. Copies of any and all medical information and/or documentation concerning the plaintiff in this matter whether it concerns any medical condition of the plaintiff in this matter; whether it concerns any medical condition or treatment which took place before, during or after the time of the incident in question.

8. Copies of any and all records of any type subpoenaed by the defendants BO R. LEE and PERFECT TRADING, INC. or received from any other source concerning the plaintiff or the incident in question.

9. A list of all passengers in defendant BO R. LEE'S vehicle, including names, relationship to defendant, address on September 24, 2019 and whether or not the individual is represented by counsel in this matter.

10. A list of all cell phone numbers used by defendant BO R. LEE on September 24, 2019 as well as the carriers providing service for said line.

11. A list of all resident relatives of defendant BO R. LEE on September 24, 2019.

12. A list of all vehicles registered to defendant BO R. LEE'S residence on September 24, 2019.

13. A corresponding list of all insurance policies covering the vehicles listed in response to NTP #13.

14. Any and all treaties, articles, medical journals, literature or other documents which defense intends to rely upon at the time of trial in defending the claim of damages.

**NOTICE TO PRODUCE INSURANCE INFORMATION PURSUANT TO RULE 4:10-2(b) TO PRIMARY INSURANCE POLICIES, AND EXCESS/UMBRELLA POLICIES**

1. Pursuant to Rule 4:10-2(b), demand is made that each of the Defendants disclose to the undersigned whether any insurance agreements or policies exist under which any person or firm carrying on an insurance business may be liable to satisfy part or all of a judgment that may be entered in this action, or to indemnify or reimburse for payments made to satisfy the judgment. This demand includes and covers not only primary coverage, but also any umbrella, excess, catastrophe policies, without limitation.

2. Pursuant to Rule 4:10-2(b), demand is further made that a copy of each applicable policy and/or agreement be provided to the undersigned including the policy/agreement number, name and address of insurer or issuer, coverage dates, names and addresses of all persons insured thereunder, personal injury limits, property damage limits, and medical payments limits.

**DEMAND FOR ANSWER TO UNIFORM FORM (C) AND C(1) INTERROGATORIES**

Demand is hereby made upon each of the defendants to answer fully and responsively Form C and Form C(1) Uniform Interrogatories, found in Appendix II as provided by Rule 4:17-1(b)(ii) and other applicable Rules of Court.

LEVINSON AXELROD, P.A.  
*Attorneys for the Malakuskie Plaintiffs*

  
JESSICA R. BLAND, Esq.

Dated: August 14, 2021

**Exhibit C**

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Case 3:21-cv-017103-NJM-MAJ Document 1-1 Filed 09/17/21 Page 31 of 37 PageID: 31

Page 1 of 1

CV-1 Fatal New Jersey Police Crash Investigation Report

96 99 1 Case Number **D030-2019-03449A** 10 Crash Occurred On: **NJ TP INT 14 IE** 11 Speed Limit **55** 118a **25**

97 01 2 Police Dept of **STATE POLICE** Code **02** Road Name Dir **104.70** 118b **-**

98 01 3 Station/Precinct **NEWARK** 12 Route No. Suffix 13 Milepost **104.70** 119a **29**

99 03 4 Date of Crash 5 Day of Week 6 Time (use 2400 hrs.) 7 Municipality Code 8 Total Killed 9 Total Injured 10 Cross Road Name 11 NB 12 WB 119b **-**

100a 01 09 24 19 09 27 07 14 02 40.70761 -74.15579 120a **01**

100b 04 23 Veh No **A0052839002** 25 Ins Code **99** 53 Veh No **909882414** 54 Policy No. **054** 55 Ins Code **054** 120b **-**

101 02 26 Driver's First Name **BO** Initial **R** Last Name **LEE** 29 Sex **M** 56 Driver's First Name **DAWN** Initial **M** Last Name **MALAKUSKI E** 59 Sex **F** 121a **01**

102 01 27 Number & Street **120 ELIZABETH ST, APT. 3B** 57 Number & Street **417 BIRCHWOOD RD** 121b **01**

103 01 28 City **NEW YORK** State **NY** Zip **10013** 58 City **LINDEN** State **NJ** Zip **07036** 122 **01**

104 02 30 Eyes **02** DL Class **A** Restrictions **-** Endorsements **-** 31 State **NY** 60 Eyes **05** DL Class **D** Restrictions **NONE** Endorsements **-** 61 State **NJ** 123 **12**

105 01 32 Driver's License Number **L05156121530921507** 33 DOB **03 13 76** 34 Expires **03 21** 62 Driver's License Number **M0233 15774 51735** 63 DOB **01 04 73** 64 Expires **01 22** 124 **99**

106 35 Owner's First Name **PERFECT TRAINING INC** Initial **-** Last Name **-** 65 Owner's First Name **-** Initial **-** Last Name **-** 125 **99**

107 36 Number & Street **808 BAY RIDGE AVE** 66 Number & Street **-** 126a **26**

108 25 37 City **BROOKLYN** State **NY** Zip **11220** 67 City **-** State **-** Zip **-** 126b **-**

109 01 38 Make **KW** 39 Model **TRUCK** 40 Color **WHI** 41 Year **2005** 42 Plate No. **77608PCL** 43 State **NY** 68 Make **MERZ** 69 Model **C300** 70 Color **RED** 71 Year **2014** 72 Plate No. **1LI EBE** 73 State **NJ** 126c **-**

110 02 44 VIN **1XKDD89XX5J 103305** 45 Expires **09 19** 74 VIN **WDDSJ 4GBXEN153831** 75 Expires **11 19** 126d **-**

111 01 46 Vehicle Removed To **-** 76 Vehicle Removed To **-** 126e **26**

112 47 Authority **Owner** 77 Authority **Owner** 127a **26**

113 48 Alcohol Drug Test **Given: No** 49 Hazardous Material **None** 78 Alcohol Drug Test **Given: No** 79 Hazardous Material **None** 127b **-**

114 05 50 Carrier No. **199683** 51 GVWR / GCWR (trucks & buses only) **None** 80 Carrier No. **-** 81 GVWR / GCWR (trucks & buses only) **None** 127c **-**

115 02 52 Motor Carrier or Government Entity **PERFECT TRAINING INC** 82 Motor Carrier or Government Entity **-** 127d **-**

116 02 53 Number & Street **808 BAY RIDGE AV** 83 Number & Street **-** 127e **26**

117 02 54 City **BROOKLYN** State **NY** Zip **11220** 84 City **-** State **-** Zip **-** 128 **26**

135 Damage To Other Property **-** 129 **02**

Oper. 136 Charge 137 Summons No. Oper. 138 Charge 139 Summons No. 133 **02**

Oper. 140 Charge 141 Summons No. Oper. 142 Charge 143 Summons No. 134 **02**

	83	84	85	86	87	88	89	90	91	92	93	94	95	Names & Addresses of Occupants - If Deceased, Date & Time of Death
A	V1	01	01	05	43	M	-	-	-	04	04	-	-	BO RU LEE 120 ELIZABETH ST, APT. 3B, NEW YORK, NY 10013
B	V2	01	01	04	46	F	01	08	1	11	04	-	-	DAWN M MALAKUSKI E 417 BIRCHWOOD RD, LINDEN, NJ 07036
C	V2	01	01	04	46	F	01	08	1	11	04	-	-	DAWN MALAKUSKI E 417 BIRCHWOOD RD, LINDEN, NJ 07036
D														

<p align="center"><b>New Jersey Police</b></p> <p align="center"><b>Crash Investigation Report</b></p>	<p>Case Number</p> <p align="center"><b>D030- 2019- 03449A</b></p>	<p align="right">Page <u>2</u> of <u>3</u></p>
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## 145. Crash Description/Narrative

**Driver #1 stated in effect: I was driving straight and the car cut me off.**

**Driver #2 stated in effect: I was merging going towards Hoboken and the truck hit me.**

**Investigation revealed: Vehicle #1 and vehicle #2 were both traveling eastbound on the NJ TP Int 14 Inside Entry. Vehicle #1 was traveling straight from the toll plaza. Driver #2 failed to observe vehicle #1 to its left and improperly merged striking the vehicle. Both vehicles sustained minor damage and driver #2 had complaint of head pain.**

**Vehicle #1 trailer registration ME 3018805 Vin: LJ RC4626561025266**

**Page #1, Box #25: SENTRY INSURANCE MUTUAL**

**Page #1, Box #96: TRAFFIC CONE**

**Page #1, Box #119a: IMPROPER MERGING**

**Page #1, Box #124: TOLL PLAZA**

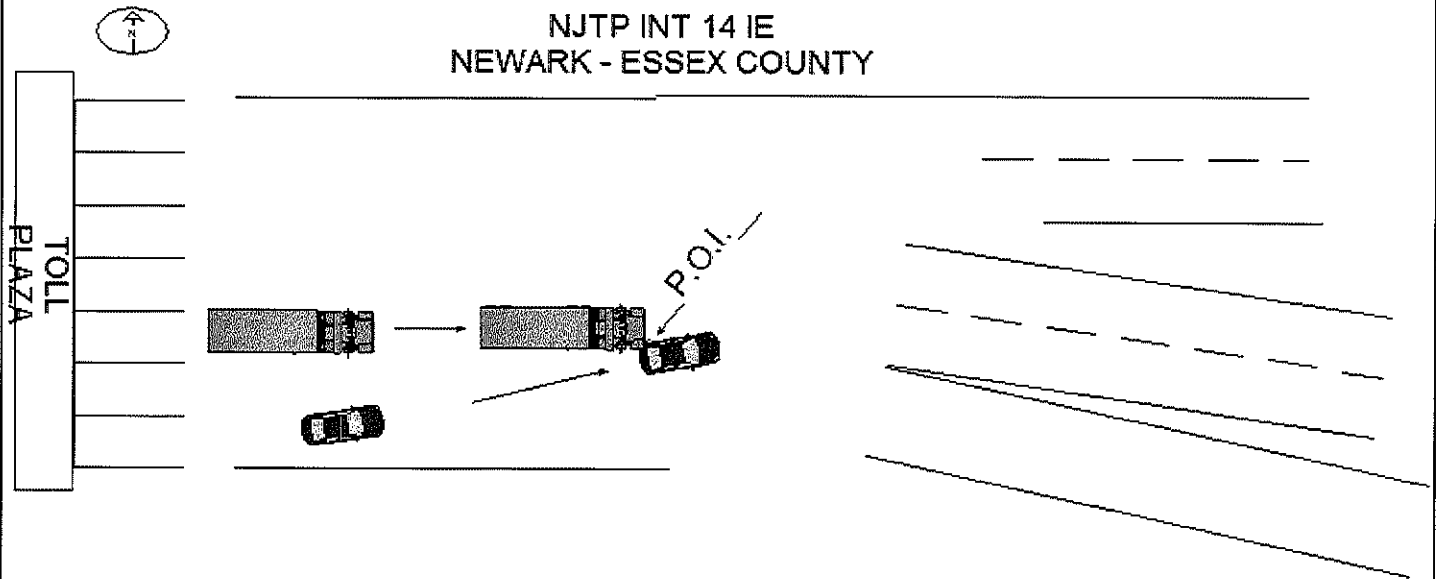
**Page #1, Box #125: TOLL PLAZA**

**New Jersey Police**  
**Crash Investigation Report**

Case Number

**D030-2019-03449A**Page **3** of **3**

144. Crash Diagram



Not To Scale

146. Officer's Signature

TPR. D E GOSA

147. Badge #  
**7621**

148. Reviewer

**SD**Badge #  
**7190**149. Case Status  
☐ Pending ☒ Complete

## **Exhibit D**

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September 14, 2021 12:30 pm

## COVID-19 Vaccines

On August 23, the FDA announced the full approval of the Pfizer-BioNTech vaccine for the prevention of COVID-19 disease in individuals age 16 and older. Read more.

[DETAILS >](#)

# Department of State

## Division of Corporations

### Entity Information

[Return to Results](#)

[Return to Search](#)

#### Entity Details

<b>ENTITY NAME:</b>	<b>DOS ID:</b>
PERFECT TRADING INC.	4886782
<b>FOREIGN LEGAL NAME:</b>	<b>FICTITIOUS NAME:</b>
<b>ENTITY TYPE:</b>	<b>DURATION DATE/LATEST DATE OF DISSOLUTION:</b>
DOMESTIC BUSINESS CORPORATION	
<b>SECTION OF LAW:</b>	<b>ENTITY STATUS:</b>
402 BCL - BUSINESS CORPORATION LAW	Active
<b>DATE OF INITIAL DOS FILING:</b>	<b>REASON FOR STATUS:</b>
01/27/2016	
<b>EFFECTIVE DATE INITIAL FILING:</b>	<b>INACTIVE DATE:</b>
01/27/2016	
<b>FOREIGN FORMATION DATE:</b>	<b>STATEMENT STATUS:</b>
	PAST DUE DATE
<b>COUNTY:</b>	<b>NEXT STATEMENT DUE DATE:</b>
Kings	01/31/2018
<b>JURISDICTION:</b>	<b>NFP CATEGORY:</b>
New York, United States	

#### ENTITY DISPLAY

##### Service of Process Name and Address

**Name:** THE CORPORATION

**Address:** 808 BAY RIDGE AVENUE, BROOKLYN, NY, United States, 11220

##### Chief Executive Officer's Name and Address

**Name:**

**Address:**

##### Principal Executive Office Name and Address

**Name:**

**Address:**

##### Registered Agent Name and Address

**Name:**

**Address:**

Entity Primary Location Name and Address

**Name:**

**Address:**

Farmcorpflag

**Is The Entity A Farm Corporation:** No

Stock Information

Share Value

Number Of Shares

Value Per Share

**AFFIDAVIT OF SERVICE**

STATE OF NEW JERSEY :  
: S.S.  
COUNTY OF BERGEN :

Dana Riccio, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age and resides in New Jersey.

On September 17, 2021, deponent served with the within Notice of Filing and Notice of Removal via e-file on:

Clerk of the United States District Court  
for the District of New Jersey  
50 Walnut Street  
Newark, New Jersey 07102

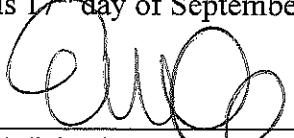
Middlesex County Courthouse  
56 Paterson Street  
Middlesex, New Jersey 08903

and via e-file, facsimile & certified mail on:

Jessica R. Bland, Esq.  
Levinson Axelrod, P.A.  
2 Lincoln Highway  
P.O. Box 2905  
Edison, New Jersey 08818  
70172620000019579840  
**Attorney for Plaintiff**

  
\_\_\_\_\_  
DANA RICCIO

Sworn to and subscribed before me  
this 17<sup>th</sup> day of September, 2021

  
\_\_\_\_\_  
E. Michael Garrett, Jr. (8913)  
Attorney at Law, State of New Jersey